

REMARKS

With entry of this amendment, claims 3-21 have been cancelled, and claims 22-51 have been newly added. As a result, claims 1, 2, and 22-51 are pending in this application. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claim Amendments

Applicant initially notes that, with the exceptions noted below, the amendments to the claims were made to generally make the claims more readable and internally consistent, and were not made to overcome any current or anticipated rejections based on prior art or otherwise.

Claim Objection

Claim 1 stands objected to because the word "set" should be inserted after the word "parameter." Accordingly, claim 1 has been amended to correct this informality. As such, Applicant respectfully requests withdrawal of the claim objection.

Claim Rejections-35 U.S.C. §102

Claims 1 and 2 stand rejected under 35 U.S.C. §102(e), as being anticipated by either U.S. Patent No. 6,738,668 ("Mouchawar") or U.S. Patent No. 6,934,583 ("Weinberg"). Without acquiescence that Mouchawar are Weinberg are, in fact, §102(e) prior references, and without prejudice to antedate these references should it become necessary, Applicant respectfully traverses the rejection of the claims 1 and 2, since neither

Mouchawar nor Weinberg discloses each and every element required by these claims, as amended.

In particular, independent claim 1 has been amended to provide stimulation to a selected region of a spinal cord in accordance with the stimulation parameter set. In contrast, Mouchawar is directed to stimulating cardiac tissue to achieve a pacing function, and Weinberg is directed to stimulating the vagal nerve to slow the atrial heart rate (see Abstracts of Mouchawar and Weinberg). There is no disclosure, teaching, or suggestion that stimulation can be applied to a spinal cord in accordance with stimulation parameter sets.

Thus, Applicant submits that claims 1 and 2 are not anticipated by either Mouchawar or Weinberg, and as such, respectfully request withdrawal of the §102 rejections of these claims.

#### New Claims

Applicant submits that newly added claims 22-51 find support in the specification, as originally filed, and are patentable over the cited prior art. Notably, independent claim 27 requires "an electrical pulse generator configured for providing stimulation to a selected region of a spinal cord in accordance with a plurality of different stimulation parameter sets." As stated above, Mouchawar and Weinberg do not disclose any mechanisms for stimulating a region of a spinal cord. Independent claims 36 and 43 require that at least some of the different stimulation parameter sets have different electrode configurations. In contrast, Mouchawar and Weinberg only disclose stimulating the patient with different frequencies, amplitudes, and pulsewidths.


Conclusion

Based on the foregoing, it is believed that all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (949) 724-1849.

Respectfully submitted,

**VISTA IP LAW GROUP LLP**

Dated: 1/4/07

By:   
Michael J. Bolan  
Reg. No. 42,339

Customer No. 23410  
Vista IP Law Group LLP  
2040 Main Street, 9<sup>th</sup> Floor  
Irvine, CA 92614